

EXHIBIT I

CHARLES F. PREUSS (State Bar No. 45783)
THOMAS W. PULLIAM, JR. (State Bar No. 46322)
BENJAMIN J. HOLL (State Bar No. 200630)
DRINKER BIDDLE & REATH LLP
50 Fremont Street, 20th Floor
San Francisco, California 94105-2235
Telephone: (415) 591-7500
Facsimile: (415) 591-7510

Attorneys for Defendants
JOHNSON & JOHNSON, MCNEIL CONSUMER
HEALTHCARE, a Division of MCNEIL-PPC, INC.,
MCKESSON CORPORATION, and WAL-MART
STORES, INC.

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN FRANCISCO

THOMAS B. GAINES, et al.,

Plaintiffs,

v.

JOHNSON & JOHNSON, et al.,

Defendants.

Case No. CGC-06-457600

**DECLARATION OF BEVERLY
TAYLOR**

I, BEVERLY TAYLOR, do hereby declare:

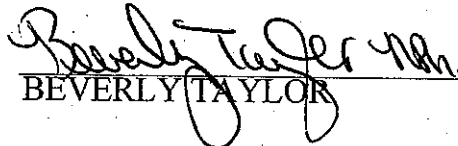
1. I am the Pharmacy Manager for the pharmacy of the Wal-Mart store in Lincolnton, North Carolina. I have held this position since 1989. In my capacity as Pharmacy Manager, I have had responsibility for sales and inventories of products, including pharmaceutical products such as Children's Motrin suspension. During my time as Pharmacy Manager, I have had knowledge regarding how rapidly Children's Motrin suspension products "turn over" on our shelves and how often of our inventory of such products needs to be replenished.

2. Wal-Mart records show that from January 1, 2004 through March 27, 2004, the Lincolnton, North Carolina store purchased 354 bottles of Children's Motrin suspension products in 32 separate transactions from Johnson & Johnson.

3. It is extremely unlikely that any Children's Motrin suspension product

1 purchased by the Lincolnton, North Carolina Wal-Mart in December 2003 or before
2 would have been on the shelves, available for sale in March 2004.

3 I declare under penalty of perjury under the laws of the State of California that the
4 foregoing is true and correct and is executed in Lincolnton, North Carolina on
5 October 5, 2007.

6
7
8 
9 BEVERLY TAYLOR